

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS THOMPSON,

Petitioner,

v.

FRANKLIN J. TENNIS, et al.,

Respondents.

CIVIL ACTION

No. 08-4365

ORDER

AND NOW, this 23rd day of April, 2010, upon consideration of petitioner's Petition for Writ of Habeas Corpus (docket no. 1), the Report and Recommendation of Chief Magistrate Judge Rueter (docket no. 7), petitioner's Objections to the Report and Recommendation (docket no. 8), and the record herein, and for reasons provided in the accompanying memorandum, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED** with the exception specified in footnote 1 of the accompanying memorandum;
2. Petitioner's objections to the Report & Recommendation are **OVERRULED**;
3. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED**;
4. Petitioner's request for an evidentiary hearing is **DENIED**; and
5. A Certificate of Appealability is **NOT GRANTED**.

/s/Louis H. Pollak
Pollak, J.